

NOV 22 2005

<b>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS [37 CFR 1.9(f) and 1.27(c)] Small Business Concern</b>		Attorney Docket No.: 10351-0006	Total Pages: 2
First Named Inventor or Application Identifier			
Kembel et al.			
Application No. Art Unit: Filing Date:	09/558,923 2176 April 26, 2000		

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act in behalf of the concern identified below:

Name of organization: **Mainstream Scientific, LLC**  
Address of organization: **650 Castro Street  
Suite 120-333  
Mt. View, CA 94041**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor to convey rights to the small business concern with regard to the invention entitled: Apparatus and Method for Dynamically Coordinating the Delivery of Computer readable Media

by inventors: **Kembel et al.**

described in

the specification filed herewith  
 application no. **09/558,923 filed April 26, 2000**  
 patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME

ADDRESS

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Address correspondence or phone calls to: Jonathan A. Small  
JAS IP Consulting  
343 Second St., Suite F  
Los Altos, CA 94022  
650-941-4470

Name of person signing:

Rakesh Ramde

Title of person other than owner:

President, Mainstream Scientific, LLC

Address of person signing:

650 Castro Street

Suite 120-333

Mt. View, CA 94041

Signature:

Rakesh Ramde

Date: 11/17/05

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)